

1882-035 Chancery Causes: Sallie E. Kincaid vs. C. F. Kincaid
Lee Co.

McWilliams, Breder, Culley, Crockett, Pridemore

CA-Divorce
T-Vices

To the Honorable John A. Kelly Judge of
the Circuit Court of Lee County.

Your oratrix Sallie E. Kincaid, humbly
complaining respectfully represents that
that heretofore she intimated with one
W. H. Kincaid with whom she lived as
a dutiful wife for several years; during
the time her said husband, betook himself
to habits of intoxication, remained away
from home in the company evil dis-
posed people, he came at first cold
and indifferent towards your oratrix at
first and finally boisterous and abusive.
For many months your oratrix feared
her life; and to this day she flies from
him, she journeyed to the distant State of
Texas and he followed her there, and then
to escape him she returned to this County where
she now resides, he remaining in Texas.
Her said husband wholly abandoned her
for the society of prostitutes, committing
various acts of adultery, which when
fully known to your oratrix, she severed
her relations with him and has since re-
fused her society as a wife; of these acts
abundant proof will in due time be
made. Your oratrix therefore alleges that
her ^{said} husband has proven false to his marital

bars, been guilty of abandonment & adultery since which act your oratrix has refused to live with him as his wife.

The object of this bill therefore is to obtain a decree of divorcement from the bonds of matrimony, ~~hencefore~~ existing between her & her said husband; To effect which she prays that said C. J. Kincaid be made a party defendant to this bill and that he answer the same upon oath, that upon a hearing a decree be rendered annulling & vacating the bonds of matrimony now existing between your oratrix and her said husband and for all other further and general relief - May supra issue &c.

A. L. Pickens

for Plff.

L.A.L.P.

C. \$5.68
A 15.00
S .50
Pr. 5.00
\$26.18

Sallie E. Kincaid

Dr ³ Bill chd.

C. F. Kincaid

1881 Dec. Spd not ex + Or Sub.

1882 Jan. Contd for O.P.

" Feb. O. Prompta + not
for hearing by Jeff.

1882, March. Accrued fines.

Chas O.P. 245.

Enter
J.

Swore with usual
restriction

Sallie E. Kincaid ... left
 against
 C. F. Kincaid - ... left } In chg.

This cause came on this day upon
the bill of the plaintiff taken for
confeſſion, the order of publication
only made and published, and the
depositions of witnesses, and was
argued by Counsel - On consideration
whereof and for reasons appearing
to the court, acts of adultery being
clearly proven against the defend-
ant. It is adjudged ordered and de-
creed that, that the bonds of matri-
mony heretofore existing between
plaintiff Sallie E. Kincaid and C. H.
Kincaid the defendant be and the same
are hereby dissolved and annulled, and
the plaintiff has leave to marry again.
But the defendant, is hereby expressly
forbidden & inhibited to marry again.
And it is adjudged that the plff re-
cover her costs in this suit expended
from the defendant, - And the cause
is stricken from the docket.

Sallio E. Kincaid

v.s. } Decree
Final.

W. H. Kincaid
March 5. 1882

Enter Page 245
J. A. Hyatt
Clerk

Enter this
Apr. 1st 1882
J. A. K.

This day March 2nd 1882 met at the
house of Herod Loftice in Lee County Va.
for to take the deposition of James W.
McWilliams and others Before me R. E.
Crockett one of the acting Justice of the
Peace for Lee County to be read as Evid-
ence in suit now pending in the Circuit
Court of Lee County Sarah E. Kincade
v. S. Creed Kincade divorce case

James W. McWilliams after being duly sworn
deposes as follows age about 22 years
question 1st by Plaintiff are you acquainted
with Creed Kincade and his General
Habits

Answer I am
question 2 by same do you know of Creed
Kincade at any time committing adultery
since he was my Husband

Answer I do I went with him to a house
of ill fame and saw him in bed with
a woman further the deponent James W. McWilliams
says that not

Weighty Barber after being duly sworn deposes
as follows age about 48 years
question 1st by Plaintiff do you know of Creed
Kincade committing adultery since he was my
Husband

Answer I saw him sittin on a log in a very
secret place in the woods with his arms around
a woman further the deponent says that not

Weighty ^{her} Barber

John A. Breeden after Being duly
Sworn deposes as follows Age about 60 years
question 1st By plaintiff

Mr Breeden State if you are of Cred
Kincade committing adultery since he has
been my husband

Answer I saw him about a house of ill fame
divers times and it was a general Rumor
that he was cohabiting with a woman
that lived there in fact the woman
told me herself that he was Gilly with
her divers times and Kincade told me
so too and further this deponent sayeth
not
John A. ^{his} Breeden
mark

I Certify that the foregoing depositions
was taken before me and all in my
own hand writing and has not been
out of my possession and untill Sealed
and directed to the Clerk given under
my hand and Seal this 2 March 1892

R. E. Cochrutt, J. P.

Sallie E. Kincaid
vs. J. L. Lepo. for
Plaintiff
B. F. Kincaid

Rec'd. & filed Mar. 1st 1882
J. A. Hyatt
Clerk

The depositions of Wm Sully
John M. Brockett. Adles V Brockett
and S B Sittal

Taken before me the undersigned
a justice of the peace for Lee County
Virginia, at H. D. Saffice's on the 15th day ¹⁸⁸⁹ February
in said County and which are in-
tended to be read as evidence on
behalf of Sallie E. Kincaid, in a
certain suit in chancery, now pending
in the Circuit Court of Lee County
Virginia, in which said Sallie E. Kincaid
is plff or H. H. Kincaid is defend-
ant -

Wm Sully a witness of
lawful age being first duly
sworn deposes and says.

1. Interrog by plff.

Do you or not know of any acts of
adultery committed by H. H. Kincaid
the husband of the plff. State all you
may know concerning his associations
with women of ill fame?

from report he H. H. Kincaid was associated with
the woman of ill fame and I myself have seen
him at houses of ill fame and he H. H. Kin-
caid drove his wife from home three times or
more

2 Further more this Dependant says not
William Kelly

2 Question by plaintiff John M. Crockett aged 29 years
Do or not you know of C. F. Kingcade acts of adultery
by committed by him the husband of the plaintiff State
all you know concerning his association with with
woman of illfame

I do not know of any for his acts of adultery myself but
reports says he Kingcade is running to houses of illfame
I further state that I have saw him associating with some of
illfame at various times and also that he Kingcade threw
the plaintiffs things out of doors three times and also the
plaintiff came to my house with her breast bleeding and
^{she says}
the Defendant had stuck his knife in her breast
further More this Dependant says not

John M. Crockett

3 Question by plaintiff Alas V. Crockett aged 20 years
Do or not you know of C. F. Kingcade acts of adultery
committed by him the husband of the plaintiff State all
you know concerning his association with women of ill
fame I do not know of any acts of adultery committed by
C. F. Kingcade I also state that the associations of Kingcade
was with women of illfame and he Kingcade threw the
plaintiffs things out of doors three or four times and
an attempt to shoot the plaintiff and drove her from
home

Further more this Dependant says not

A. W. Crockett

Callie E. Kincade

vs Defs

Callie E. Kincade

Callie E. Kincade

vs Defs

Callie E. Kincade

Doc filed Feb 20 1882

J. H. Hyatt

Coler

Virginia Lee county to wit.

I E. H. Daniel a Justice of the
peace do certify that the foregoing depositions
of Wm Lacey, John M. Crockett and
Alas V. Crockett & Blittial
were duly taken sworn to and subscribed
before me at the times and places mentioned
in the caption. Given under my hand
this 15 day of February 1882

E. H. Daniel

20

Virginia: to the Hon. Secy. of War.

Friend A. C. Williams

For several years past I have been much interested in the

history of the State of Virginia

and have been much interested in the

history of the State of Virginia

Yours truly
J. H. P. H. H. H.

Dr. J. H. Smith

No. 100

100

100

100

100

Wm. C. Linscott
V. S. } Col. Rich,
Co. H. Linscott

The Commonwealth of Virginia.

To The Sheriff of Lee County, Greeting:

WE COMMAND YOU TO SUMMON

To appear at the Clerk's office of the Circuit Court of Lee county, at the Court House, on the first Monday in
Next, to answer

And have then there this writ. Witness, **James W. Orr**, Clerk of our said Court at
the Court House, this ^{4th} day of *November* 188 / : in the 100 year of the Commonwealth.

J. W. Orr
Clerk.

19
J. E. Kincaide

us 3 Spain Chy.

C. F. Kincaide

Deers Rules 1881.

Not executed the
party not being
found in my Bale
unic. Shos. Ely
Sally

The Commonwealth of Virginia.

To The Sheriff of Lee County, Greeting:

WE COMMAND YOU TO SUMMON

C. F. Kincaid

To appear at the Clerk's office of the Circuit Court of Lee county, at the Court House, on the first Monday in *December*
Next, to answer *a Bill in Chancery exhibited in our said*
Court against him by Sallie E. Kincaid

And have then there this writ. Witness, *J. A. Hyatt* ~~James W. Orr~~, Clerk of our said Court at
the Court House, this *9th* day of *November* 188*1* : in the *106* year of the Commonwealth.

J. A. Hyatt
Clerk.

I hereby certify that the assumed
chancery order was printed four suc-
cessive weeks, ending January 6, 1882,
in the Lee Co. Sentinel, a weekly news-
paper printed at Jarricks, Va.
Jan 14th 1882.

Charles Willoughby. Pub.

VIRGINIA:—At Rules held in the Clerk's
office of the Circuit Court of Lee county,
5th of December, 1881.

Sallie E. Kincaide, Pff. vs. C. F. Kincaide.
Deft.—In Chancery.

The object of this suit is to obtain a divorce
from the bonds of matrimony now existing
between the plaintiff and the defendant. And
it appearing from an affidavit filed in the case
that the defendant is a non-resident of this
State, it is ordered that he appear within one
month after due publication of this order, and
do what is necessary to protect his interest in
this suit. A copy—test:

J. A. G. HYATT,

Dec. 9, -4w-85.

Clerk.

Sallis C. Kincaid

vs. 3 Pub. Certificates

C. F. Kincaid -
